

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANDREW APPLE; PASCAL ARMSTRONG; :  
ELGIN BECKFORD; EMERIE BECKFORD; :  
SEWAYNE DALEY; MAURICE GRIFFIN; :  
JEANETTE HENRIQUES; ALFONZA LEWIS; : CV 11-5550 (JG)(JMA)  
LLOYD BERNARD MATTHEWS; CAROL :  
NEILS; KATHLEEN NOREIGA; ALONZO :  
PHILLIPS; KIMRON PRIME; WAYNE ST. :  
LOUIS; JONATHAN SILVA; ANDRE SMALL; :  
CLARENCE STEWART; JAY WHITLEY; :  
JEFFREY WILLIAMS; and DEVIN WRIGHT, :

Plaintiffs, :

-against- :

ATLANTIC YARDS DEVELOPMENT :  
COMPANY, LLC; BROOKLYN ARENA LLC; :  
BROOKLYN UNITED FOR INNOVATIVE :  
LOCAL DEVELOPMENT; JAMES CALDWELL; :  
FOREST CITY RATNER COMPANIES, LLC; :  
FOREST CITY ENTERPRISES, INC.; GAUSIA :  
JONES; JANE MARSHALL; ORBIN'S BIG :  
GREEN MACHINE; and BRUCE RATNER, :

Defendants. :

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PLEASE TAKE NOTICE that, upon the Declaration of Harold P. Weinberger in Support of Defendants' Motion for Partial Summary Judgment dated April 21, 2014, and the exhibits annexed thereto, the accompanying Memorandum of Law and Defendants' Statement Pursuant to Local Rule 56.1, defendants Atlantic Yards Development Company, LLC, Brooklyn Arena LLC, Forest City Ratner Companies, LLC, Forest City Enterprises, Inc., (collectively, "Forest City"), Jane Marshall, Bruce Ratner, Brooklyn United for Innovative Local Development ("BUILD"), and James Caldwell (together, "defendants") will move this Court, before the

Honorable John Gleeson, at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, on May 30, 2014 at 11:00 a.m., for entry of an Order granting summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure on the following claims in the Amended Complaint: (1) The First and Second Causes of Action or, alternately; (2) the First and Second Causes of Action with respect to classroom portions of the PATP; (3) the Third, Fourth, Fifth, and Sixth Causes of Action against Forest City, as asserted by plaintiffs Henriques, Matthews, Noreiga, Phillips, Small, Stewart, Whitley, Wright, Elgin Beckford, Emerie Beckford and Neils; (4) the Third and Sixth Causes of Action against Marshall as asserted by those same plaintiffs; and (5) the Third Cause of Action against Ratner; and awarding such other and further relief as the Court deems just and proper.

Dated: New York, New York  
April 21, 2014

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: /s/ Harold P. Weinberger  
Harold P. Weinberger  
Robert N. Holtzman  
Selina M. Ellis

1177 Avenue of the Americas  
New York, New York 10036  
(212) 715-9100  
hweinberger@kramerlevin.com  
rholtzman@kramerlevin.com  
sellis@kramerlevin.com

*Attorneys for defendants Atlantic Yards Development Company, LLC, Brooklyn Arena LLC, Forest City Ratner Companies, LLC, Forest City Enterprises, Inc., Jane Marshall, Bruce Ratner, Brooklyn United for Innovative Local Development, and James Caldwell*

To: EMERY CELLI BRINKERHOFF & ABADY LLP  
Matthew D. Brinkerhoff  
Jennifer M. Keighley  
75 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, NY 10019  
(212) 763-5000

SOUTH BROOKLYN LEGAL SERVICES  
Sarah E. Dranoff  
Nicole Salk  
Gary Steven Stone  
Latanya Renee White  
105 Court Street, 3<sup>rd</sup> Floor  
Brooklyn, NY 11201  
(718) 237-5500

*Attorneys for plaintiffs*

SHER TREMONTE LLP  
Michael Tremonte  
Justin Gunnell  
80 Broad Street  
Suite 1301  
New York, NY 10004  
(212) 202-2600

*Attorneys for defendants Gausia Jones  
and Orbin's Big Green Machine*